

Council Chambers-City Council  
 City Hall - City of Lodi  
 Monday, April 6th., 1931 .

This regular meeting of the City Council of the City of Lodi met at 8.00 o'clock P.M. on the date first above written, Councilmen Keagle, Weihe and Spooner present at roll call.

The minutes of the last regular meeting held March 16th were read, approved as read and so endorsed by the Mayor.

At 8.10 o'clock P.M., during the reading of the minutes, Councilman Roach appeared and took his seat in the Council.

Mr John Bauer being present addressed the Council regarding the concert to be rendered by Tokay Band & Orchestra at the opening of the Baths. Mr Bauer was referred to the Committee in charge.

On account of numerous complaints regarding the condition of Lockeford Street from the western city limits to Church Street, the Clerk and the Street Superintendent were ordered to obtain oil and have it applied to this street.

R.L.Martin submitted prices on constructing curb and gutter and solicited part of the City's business.

The Clerk was directed to notify representatives in the State Legislature and the Committee on Public Utilities of the State Senate that the passage of a measure giving the department of weights and measures control over water, gas and electric meters was unnecessary and might reflect harm on publicly owned utilities.

The quarterly report of the Chief of the Fire Department was received, read and ordered to the files, likewise the monthly reports of the Chief of Police and of the City Poundmaster.

Plans and Specifications for the improvement of portions of Cherokee Lane Highway having been submitted by Mr Edward K. Hussey, City Engineer, the same were approved and adopted as the plans and specifications under which said work should be done by the adoption of Resolution No. 633 by the following vote :-

AYES : Councilmen, Weihe, Roach, Keagle and Spooner.  
 NOES: Councilmen, None.  
 ABSENT: Councilman, Steele.

The said plans and specifications were thereupon endorsed by the Mayor and by the City Clerk for identification.

Resolution of Intention No. 72 for the improvement of portions of Cherokee Lane Highway was introduced on motion of Councilman Weihe, Roach second and ordered laid over for one week, the Clerk to transmit a certified copy thereof to the Board of Supervisors of San Joaquin County.

Lodi Grammar School District applied through Supt. Henning for the erection of six electric lighting standards on the East and North sides of Needham School. Application ordered granted, the district to pay for the standards at the rate of \$25.00 each.

Four building permits aggregating \$4,875.00 ordered granted.

The City Clerk was directed to ask Mr R.E.Pierce, Engineer of State Highway Division "X" to appear at the next meeting of the Board of Supervisors of San Joaquin County as it was expected that the hearing on the application of the City Council for permission to exercise jurisdiction over the proposed improvement would come up on that date.

Bills in the amount of \$13,3647.14 as approved by the finance Committee were allowed and ordered paid on motion of Councilman Roach, Weihe second.

RESOLUTION OF INTENTION  
No. 72

RESOLVED THAT, WHEREAS, the City of Lodi, is a municipal corporation of the sixth class, situate in the County of San Joaquin, State of California, and

WHEREAS, CHEROKEE LANE is an open public street and highway, commonly known as CHEROKEE LANE, extending from a line drawn from the southwestern corner of the intersection of Lockeford Street and Cherokee Lane to the Southeastern corner of the intersection of Cherokee Lane and Lockeford Road, as said Lockeford Street and Lockeford Road are shown on that certain filed map entitled "Map of Lawrence Homestead Addition," etc., filed April 5th, 1929, in Volume 10 of Maps, at page 5, of Official Records of the County of San Joaquin, State of California, Southerly to a line drawn at right angles to the Westerly line of Cherokee Lane at the Intersection thereof with the Northerly line of Vine Street as said Cherokee Lane and Vine street are shown on that certain filed map entitled "Lodi Barnhart Tract, etc.," filed November 5th, 1906, in Volume 3 of Maps, at page 48, of Official Records of the County of San Joaquin, State of California, and

THAT, WHEREAS, the westerly line of said CHEROKEE LANE, extending from the Southerly line of Lockeford Street, on the north, to the Northerly line of Vine Street on the South, forms between the said points on said Cherokee Lane above given, the exterior boundary line of the said City of Lodi, and the said Cherokee Lane between said points thereon, above given, extends along the boundary line of the said City of Lodi and unincorporated territory of the said County of San Joaquin, State of California; and

WHEREAS, heretofore and on the 9th day of March, 1931, the Council of the said City of Lodi duly and regularly passed and adopted its Resolution No. 630 ordering the City Engineer to prepare plans and specifications and careful estimates of said work or improvement to be constructed as in this RESOLUTION OF INTENTION hereinafter described and also thereby and therein ordering the said City Engineer to prepare a map or plat of and the description of the District to be assessed, as in this RESOLUTION OF INTENTION hereinafter described, to pay the costs and expenses of such public work or improvement and also thereby and therein ordering the said City Engineer to set and establish new and different grades from those heretofore existing and established, to which all of the work or improvement under this RESOLUTION OF INTENTION hereinafter described shall be done, and

WHEREAS, the City Council of the said City of Lodi, did on the 6th day of April, 1931, duly and regularly pass and adopt a resolution, being Resolution No. 633 adopting the plans and specifications of said work or improvement to be constructed as hereinafter described; and

WHEREAS, the Board of Supervisors of the County of San Joaquin having jurisdiction over a portion of the territory included in said district to be assessed as hereinafter described, did on the 13th day of April, 1931, duly and regularly pass and adopt a resolution consenting to the formation of said district to be assessed to pay the cost and expenses of said work or improvement as hereinafter described, and for the commencement of a proceeding under the provisions of an act of the Legislature of the State of California, designated "BOUNDARY LINE ACT OF 1911" and entitled,

"An Act to provide for the establishment and change of grade of public highways, streets, public ways and other public property and rights of way, in whole or in part, including property over which possession and right of use have been obtained under the provisions of section 14 of article one of the Constitution of the State of California, whether the same are situated within the limits of a municipality or whether such public ways or property are in part within the limits of one or more municipalities, or extend from one municipality into another municipality, or from one or more municipalities into or through unincorporated

territory, or in whole or in part form the boundary between adjoining municipalities or between a municipality and adjacent unincorporated territory; and providing for work in and upon the same together with any and all appurtenances and appurtenant work; and providing for assessing the whole or any portion of the costs and expenses thereof upon private property and for the issuance and payment of improvement bonds to represent certain assessments for the costs thereof, and providing for the effect of and the enforcement of such bonds";

Approved April 21, 1911, and as amended 1913, and as amended 1923, and as amended 1927, and as amended by Title and other wise 1929, and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lodi, that it is the intention of the City Council of the said City of Lodi, when consent thereto and so to do, and consent to the formation of the assessment district hereinafter described, to pay the costs and expenses of the work or improvement hereinafter described is given and granted by the Board of Supervisors of the County of San Joaquin, State of California, to order the following work to be done and improvements to be made, to-wit:

THAT Cherokee Lane from a line drawn from the southwestern corner of the intersection of Lockeford Street and Cherokee Lane to the Southeastern corner of the intersection of Cherokee Lane and Lockeford Road, as said Lockeford Street and Lockeford Road are shown on that certain filed map entitled "Map of Lawrence Homestead Addition," etc., filed April 5th, 1929, in Volume 10 of Maps, at page 5, of Official Records of the County of San Joaquin, State of California, Southerly to a line drawn at right angles to the westerly line of Cherokee Lane at the Intersection thereof with the Northerly line of Vine Street as said Cherokee Lane and Vine

Street are shown on that certain filed map entitled "Lodi Barnhart Tract, etc.," filed November 5th, 1906, in Volume 3 of Maps, at page 48, of Official Records of the County of San Joaquin, State of California, including its intersections with all intersecting Public highways, be graded in the manner and locations shown on the plans, and specifications, therefor, hereinafter referred to and to the grades and subgrade elevations hereinafter defined and shown on the said plans and specifications:

That Portland cement concrete pavement be constructed upon the roadway of said street in the widths, the thicknesses and cross section in the manner and in the particular locations as all are more fully shown on the said plans and specifications:

That Portland cement concrete integral curbing be constructed on both sides of said street including all return corners and terminations in the manner, to the grades, of the dimensions and in the particular locations as all are more fully shown on the said plans and specifications:

That concrete pipe sewers be constructed in said street in the manner of the dimensions, to the grades and in the particular locations as all are more fully shown upon the plans and specifications hereinafter referred to:

All of the aforesaid work and improvement to be done to dimensions and sizes, and in the manner, place and location as shown on plans, specifications, detail drawings, profiles and typical cross sections for said work and improvement, as prepared by the City Engineer, and adopted as the plans and specifications for said work and improvement by "Resolution Adopting Plans and Specifications and accepting estimates of Cost No. 632 passed by the City Council of the City of Lodi on the 6th day of April, 1931, which said plans, specifications, detail drawings, profiles and typical cross sections are now on file in the office of the City Clerk of said City of Lodi and are hereby referred to for a more particular description of the work to be done under this Resolution of intention, and are made a part hereof.

Excepting from all the herein described work all of said work that has already been done to the lines and grades as shown on the plans and profiles, and in accordance with said plans and specifications, and "except-

ing from all of the above described work such portion as is required by law to be kept in order or repair by any person or company having railroad tracks thereon," and

Said work and improvement shall be done to grades as shown on said plans, specifications, detail drawings, profiles and typical cross sections, to all of which reference is hereby expressly made for a description of the grades to which all of the work and improvement under this resolution shall be done, which said grades are hereby adopted and established as the official grades therefor;

THAT except as otherwise herein-after provided for the issuance of serial bonds all of the herein proposed work or improvement shall be done and made in pursuance of the provisions of an Act of Legislature of the State of California, designated "BOUNDARY LINE ACT OF 1911," and entitled "An act to provide for the establishment and change of grade of public highways, streets, public ways and other public property and rights of way, in whole or in part, including property over which possession and right of use have been obtained under the provisions of section 14 of Article one of the Constitution of the State of California, whether the same are situated within the limits of a municipality or whether such public ways or property are in part within the limits of one or more municipalities, or extend from one municipality into another municipality, or from one or more municipalities into or through unincorporated territory, or in whole or in part form the boundary between adjoining municipalities or between a municipality and adjacent unincorporated territory; and providing for work in and upon the same together with any and all appurtenances and appurtenant work; and providing for assessing the whole or any portion of the costs and expenses thereof upon private property and for the issuance and payment of improvement bonds to represent certain assessments for the costs thereof, and

providing for the effect of and the enforcement of such bonds." Approved April 21, 1911, as amended 1913, and as amended 1923, and as amended 1927, and as amended by Title and otherwise 1929.

AND, WHEREAS, said contemplated work or improvement, in the opinion of the City Council of the said City of Lodi is of more than local, or ordinary public benefit, said City Council of the said City of Lodi hereby makes the expenses of said work or improvement chargeable upon a district, which district said City Council of the said City of Lodi declares to be the district benefited by said work or improvement, and to be assessed to pay the costs and expenses thereof, which said district and all the lands embraced within its exterior boundaries is situated, lying and being partly within the said City of Lodi and partly within unincorporated territory in Sections 6 and 7, Township 3 North, Range 7 East and in Sections 1 and 12, Township 3 North, Range 6 East, Mount Diablo Base and Meridian, in San Joaquin County, State of California, and the extent of the territory included in said district is indicated by a boundary line shown and delineated upon a certain map or plat marked

"MAP SHOWING THE EXTERIOR BOUNDARY OF THE ASSESSMENT DISTRICT FOR THE WORK OR IMPROVEMENT OF CHEROKEE LANE, ALL AS DESCRIBED IN RESOLUTION OF INTENTION NO. 72, OF THE CITY COUNCIL OF THE CITY OF LODI, COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA.

SCALE: 100 Ft. 1 Inch. April, 1931.

EDWARD K. HUSSEY,  
City Engineer."

filed in the office of the City Clerk of the said City of Lodi, on the 6th day of April, 1931, and now on file therein, and for a particular description of said district reference is hereby made to that certain plat or map filed in the office of the City Clerk of the said City of Lodi, on the 6th day of April, 1931, and now on file therein, marked.

"MAP SHOWING THE EXTERIOR BOUNDARY OF THE ASSESSMENT DISTRICT FOR THE WORK OR IMPROVEMENT OF CHEROKEE LANE, ALL AS DESCRIBED IN RE-

SOLUTION OF INTENTION NO. 72,  
OF THE CITY COUNCIL OF THE  
CITY OF LODI, COUNTY OF SAN  
JOAQUIN, STATE OF CALIFORNIA.

SCALE: 100 Ft. 1 Inch. April, 1931.

EDWARD K. HUSSEY,  
City Engineer."

Which said map or plat above mentioned and described and on file in the office of the City Clerk of the said City of Lodi, the City Council of the said City of Lodi adopts and approves as the map of the assessment district to be assessed to pay the costs and expenses of said work or improvement, and the same shall govern for all details as to the extent of said assessment district and described as follows, to-wit:

COMMENCING at a point on the center line of Vine Street distant thereon 300 feet from the Southerly prolongation of the Westerly line of Cherokee Lane, as the said streets are shown on the certain Map entitled "Lodi Barnhart Tract" etc., filed Nov. 5, 1906, in Vol. 3 of Maps, at page 48 of Official Records of the County of San Joaquin, State of California; thence Northerly parallel to the westerly line of Cherokee Lane to a point in the southerly line of Tokay Street, which point is 10 feet westerly from the northeast corner of Lot 6, as shown on that certain map entitled "Tokay Tract," filed for record in the office of the County Recorder of the County of San Joaquin, State of California, November 21, 1927, in Volume 10 of Maps at Page 121; thence northerly across Tokay Street to a point in the Northerly line of Tokay Street, which point is 295' westerly from the westerly line of Cherokee Lane; thence northerly parallel to the westerly line of Cherokee Lane to a point in the southerly line of Lodi Avenue which point is 295 feet westerly from the westerly line of Cherokee Lane; thence northwesterly across Lodi Avenue to the southwest corner of Lot 13, Block 7, as shown on that certain map entitled "Map of East Lodi Addition" filed for record in the office of the County Recorder of the County of San Joaquin, State of California, January 31, 1906, in Volume 3 of Maps at page 42; thence northerly along the westerly line of Lots 13 and 26 of Block 7 of aforesaid Map of East Lodi Addition to the Northwest corner of the

said Lot 26 in said Block 7; thence northerly across Walnut Street to the Southwest corner of Lot 10 in Block 6, as said lot and Block are shown on the aforesaid map of East Lodi Addition; thence northerly along the westerly line of the said lot 10 to the northwest corner thereof; thence northeasterly across an alley to the Southwest corner of Lot 3, Sues Oak Street Addition, as shown on that certain map entitled Sues Oak Street Addition, filed February 3, 1920, in Volume 9 of Maps at Page 70 of Official Records of the County of San Joaquin, State of California; thence northerly along the west line of aforesaid lot 3 of Sues Oak Street Addition to the Northwest corner of said lot 3; thence northerly across Oak Street to a point in the Northerly line of Oak Street, distant thereon 366.20 feet westerly from the westerly line of Cherokee Lane; thence northerly to a point in the southerly line of Pine Street distant thereon 363.71 feet westerly from the westerly line of Cherokee Lane; thence northerly across Pine Street to the Southwest corner of lot 7, as shown on that certain map entitled "Marchand Addition," filed for record in the office of the County Recorder of the County of San Joaquin, State of California, April 13, 1921, in Volume 10 of Maps at page 34; thence northerly along the westerly line of said lot 7 to its northwest corner; thence northerly across an alley to the Southwest corner of lot 4 as shown on that certain map entitled "Subdivision of Buell Land" filed for record in the office of the County Recorder of the County of San Joaquin, State of California, August 30, 1915, in Volume 8 of Maps at Page 49; thence northerly along the Westerly line of said lot 4 to Northwest corner thereof; thence northerly across Elm Street to a point on the Southerly line thereof distant thereon 374.96' from the Westerly line of Cherokee Lane; thence Northerly parallel with the said Westerly line of Cherokee Lane 170 feet to a point on the Southerly line of an alley thru Block 49 of Brier and Keeney's

Addition hereinafter mentioned; thence northeasterly across an alley to the southwest corner of Lot 8, of Block 49 as shown on that certain map entitled "Map of Brier and Keeney's Addition; filed in the office of the County Recorder of the County of San Joaquin, State of California, October 6, 1903, in Volume 3 of Maps at Page 20; thence northerly along the Westerly line of Lot 8, Block 49 and lots 21 and 8 of Block 48 of aforesaid map of Brier and Keeney's addition and along its prolongation to the intersection thereof with the center line of Lockeford Street, which said center line is also the Northerly line of the Southeast  $\frac{1}{4}$  of Section 1, T 3 N, R 6 E, M D B & M; Thence easterly along the aforesaid center line of Lockeford Street to the N. E. corner of the S. E.  $\frac{1}{4}$  of Section 1, T 3 N, R 6 E, M D B & M; thence S  $85^{\circ} 27'$  E, which is also the northerly line of the Southwest  $\frac{1}{4}$  of Section 6, T 3 N, R 7 E; M D B & M, a distance of 252.12 feet; Thence Southerly to a point in the northerly line of the Right of Way of the Southern Pacific Railroad Company, which point is 252.78 feet easterly from the westerly line of Section 6, T 3 N, R 7 E; M D B & M; Thence Southeasterly across said Railroad Company's Right of Way to the Northeast corner of lot 10 as shown on that certain map entitled Live Oak Colony No. 1, filed for record in the office of the County Recorder of the County of San Joaquin, State of California, March 17, 1887, in Volume 1 of Maps at Page 73; thence southerly along the easterly line of said Live Oak Colony No. 1 and along the southerly prolongation thereof to an intersection with the Southerly line of Section 6, T 3 N, R 7 E, M D B & M; Thence westerly along the southerly line of said Section 6, to the intersection thereof with a line drawn parallel to and distant 360 feet from the West line of Section 7, T 3 N, R 7 E, M D B & M, (said distance is measured at right angles to said section line); Thence South along the aforesaid parallel line to the said Westerly line of Section 7 to an intersection with the center line of Vine Street produced easterly; Thence westerly along the said easterly prolongation of the center line of Vine Street and along the center line of Vine Street to the point of beginning;

SAVING, EXCEPTING AND EXCLUDING, however, from the above described area to be assessed as aforesaid, the area of all public streets, avenues, lanes, roads, drives, courts and ways therein contained; and also excepting therefrom any lot, piece or parcel of land belonging to any county, city, public agent, mandatory of the government, school board, educational, penal or reform institution or institution for the feeble minded or the insane, and being in use in the performance of any public function.

The City Engineer is hereby directed to make a diagram of the property affected or benefitted by the proposed work and improvement as described in the Resolution of Intention and to be assessed to pay the costs and expenses thereof such diagram shall show each separate lot, piece or parcel of land, the dimensions of each of said lots, pieces or parcels of land, and the relative location of the same to the work proposed to be done, all within the limits of the assessment district.

AND NOTICE IS HEREBY GIVEN that serial bonds shall be issued to represent each assessment of twenty-five dollars (\$25.00) or more for the costs of said work or improvement remaining unpaid for thirty (30) days after the date of the warrant, and said serial bonds shall extend over a period of nine (9) years from the second (2nd) day of January next succeeding the fifteenth (15th) day of the next November following their date, and an even annual proportion of the principal sum thereof shall be payable by coupons on the second (2nd) day of January every year after the fifteenth (15th) day of next November following their date, until the whole is paid, and the interest shall be payable semi-annually, by coupon, on the second (2nd) day of January and July of each year after their date, at the rate of six per cent (6%) per annum on all sums unpaid, until the

whole of said principal and interest are paid. Said bonds shall be issued in accordance with the provision of Part III (Part 3) of an Act of the Legislature of the State of California, entitled, "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks, within municipalities, and upon property and rights of way owned by municipalities, or of which a municipality has possession and the right of use under the provision of Section 14 of article one of the Constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, and the amendments thereto, excepting therefrom section 64.

NOTICE IS HEREBY GIVEN that on Wednesday, the 29th day of April, 1931, at the hour of eight (8) o'clock P. M., in the Council Chamber of the City Hall of the said City of Lodi, that any and all persons liable to be assessed for said work or improvement having made written objections to the proposed work or improvement or against the extent of the district to be assessed, or both, or also to file written objections to the proposed grades and having filed said written protests or objections as prescribed by this Act, with the City Clerk of the said City Council of the City of Lodi within the time set for the hearing protests or objections may appear before the said City Council of the said City of Lodi and show cause why said proposed work or improvement should not be carried out in accordance with this RESOLUTION OF INTENTION.

The City Clerk of the said City of Lodi shall cause the RESOLUTION OF INTENTION to be published twice in "The Lodi Sentinel," a newspaper published and circulated in said City of Lodi, which said "The Lodi Sentinel" is the newspaper hereby designated by the City Council of the said City of Lodi for that purpose.

The Street Superintendent shall cause to be conspicuously posted along the line of said contemplated work or improvement, and along all

the open streets within the assessment district at not more than three hundred (300) feet in distance apart on each street, and in all respect, and in the form, and for the time as required and provided by section 4 of said Boundary Line Act, Notices of the passage of this RESOLUTION OF INTENTION.

The said City of Lodi will, out of the general fund in the treasury of said City of Lodi, pay the sum of ; the total sum of which will be made up by the sum of

( ) by the Department of Public Works, Division of Highways, State of California; also by the sum of ( ) by the Board of Supervisors of the said County of San Joaquin, State of California, authorized to be paid out of the

fund of said County, as regularly passed and adopted by resolution on the 13th day of April, 1931, and all of the above sums so authorized to be paid by the respective public bodies are to be paid into the general funds of the treasury of the said City of Lodi, to be held in reserve towards the costs and expenses of the work or improvement to be performed and made as above set forth.

I hereby certify that the foregoing Resolution of Intention No. 72 was duly and regularly introduced at a regular meeting of the City Council of the said City of Lodi, held on the 6th day of April, 1931, and was thereafter duly and regularly passed and adopted by said City Council of the said City of Lodi, at an adjourned regular meeting thereof, held on the 13th day of April, 1931, by the following votes; Viz:

AYES: COUNCILMEN Keagle, Roach, Weihe and Spooner.

NOES: COUNCILMEN, None.

ABSENT: COUNCILMEN, Steele.

AND that it was thereupon filed in my office on the same day.

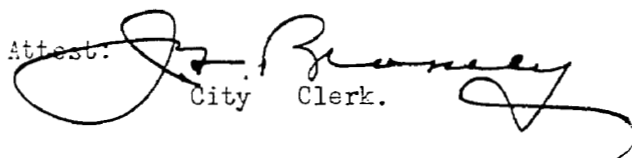
ATTEST:

J. F. BLAKELY,

City Clerk of the City of Lodi, State of California.

No further business appearing, the City Council adjourn-  
ed to the 13th day of April, 1931 on motion of Councilman  
Weihe at the hour of 8 o'clock P.M. thereon.

Attest.

  
City Clerk.

-----